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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/300,139	04/27/1999	GARY S. GREENBAUM	REALNET.009A	4138

20995 7590 01/16/2002

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EXAMINER

SENF, BEHROOZ M

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 01/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/300,139	Applicant(s) GREENBAUM ET AL.	
	Examiner Behrooz Senfi	Art Unit 2613	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other:  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1 - 12, 14 - 17, 19 - 20, 22, 24 - 32, 34 - 35, are rejected under U.S.C. 102(e) as being anticipated by Boon (US 2001/0013952 A1).

Regarding claim 1 and 24, Boon '952 discloses a plurality of synchronized encoded representations of an input media signal (fig. 3), comprising:

- a) providing an input media signal (fig. 3, unit 110).
- b) encoding said input media signal to generate a plurality of encoded representation (fig. 3), wherein each representation is encoded according to a different set of encoding parameters and synchronization points in each of said encoded representation, fig. 24( c ) shows shape and texture using different parameters and synchronized (unit 501).

Regarding claims 2 and 11, switching from a streaming of one of said encoded representations to another of said encoded representations (figs. 7 (a-b)).

Regarding claims 3 - 5, 14, 19 - 20, Boon '952 teaches synch points (i.e. 501) which have substantially the same time locations for each parameter (shape, texture, DCT etc.).

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Boon '952 teaches the synch header at the start of each word therefore the maximum time of 10 second will never be exceeded.

Regarding claim 6 and 28, said input media signal comprises a video input sequence (fig. 3), comprises frames of digital video (col. 1, lines 10 – 12).

As for claims 7 - 8, 25 - 27, Boon '952 section (0282) detects intra frames (frames which do not require any other version of another frame) which are synched each frame. In other words, each frame in Boon '952 is synched with the header and therefore any two I frames will be synch points.

Note motion data is considered intermediate data.

Regarding claim 9, 12 and 34, the limitations claimed are substantially similar to claim 1, therefore the ground for rejecting claim 1 also apply here.

Furthermore regarding the additional limitation "computer readable medium",

Boon '952 discloses a computer readable medium (figs. 21a-c, page 30, sections 0412 and 0413).

Regarding claim 10, the limitations claimed are substantially similar to claim 1, therefore the ground for rejecting claim 1 also apply here.

Regarding claim 15, Boon '952 discloses the host computer (fig 21c).

Also an output stream comprising a plurality of encoded representations of said digital video input sequence and encoding according to a different set of encoding parameters (figs. 13(a) and 13(b), shows the shape and texture using different encoding parameters, also page 29, section 0402 and 0403).

Furthermore encoding application operating on said host computer (page 30, section 0411).

Regarding claim 16, the limitations claimed "generate a set of data from said digital video input sequence and said video encoding application using said set of data to generate said plurality of encoded representations" are substantially the same as encoding parameters, therefore the ground for rejection claims 1 and 6 also apply here.

Regarding claim 17, Boon '952 discloses storage device which can be used to store data (page 1, section 0001).

Regarding claim 22, MPEG protocol inherently encode contiguously.

Regarding claim 29, 30, Boon '952 teaches DCT (unit 134).

Regarding claim 31, Boon '952 teaches ME (unit 121) and MC (unit 123).

Regarding claim 32, regarding color converted page 1, section (0008).

Regarding claim 33, intra and inter frames are considered resampled.

Regarding claim 35, the limitations claimed are substantially similar to claims 10 and 27, therefore the ground for rejecting claims 10 and 27 also apply here.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 13, 18, 21, 23 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boon (US 2001/0013952) in view of Trans (US 2001/0038674).

Regarding claim 13 and 18, Boon '952 teaches the method of producing plurality of synchronized encoded data with media (digital video) input and identifying frame and switching circuit.

Boon '952 does not explicitly teach the use of a server.

However, the above mentioned claimed limitation is well-known in the art as evidenced by Trans '674. In particular, Trans '674 teaches the use of a server for transmitting data (abstract).

In view of the above, having the system of Boon '952 and then given the well established teaching of Trans '674, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Boon '952 as taught by Trans '674, for the purpose of transmitting data.

Regarding the communication network, Trans '674 teaches LAN/WAN networking systems (page 1, section 0003, also fig. 10) for transmitting a large amount of data with higher speed.

In view of the above, having the system of Boon '952 and then given the well established teaching of Trans '674, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Boon '952 as taught by Trans '674, for the purpose of transmitting a large amount of data with higher speed.

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Regarding claim 21, Trans '674 teaches interleaved data recovery, see figs. 11a and 20.

In view of the above, having the system of Boon '952 and then given the well established teaching of Trans '674, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Boon '952 as taught by Trans '674, for the benefit of recovering the interleaved data.

Regarding claim 23, trans '674 teaches specific data location encode and the synchronous response (see pages 17 and 18, section 0267).

In view of the above, having the system of Boon '952 and then given the well established teaching of Trans '674, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Boon '952 as taught by Trans '674.

Regarding claim 33, Boon '952 system teaches MPEG, and MPEG process does includes resampling.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure;

Ansari et al. (US 4,918,524) HDTV sub-band coding using IIR filter bank.

Kaneko et al. (US 4,805,017) system for coding and transmitting motion image signals.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132**.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

**(703) 872-9314**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. Senfi

1-11-02

*b. senfi*

*Chris Kelley*

**CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
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